

North Carolina Part C FFY 2007 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>1. Percent of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner.</p> <p>[Compliance Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 93%. These data represent progress from the FFY 2006 data of 92%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported that all six of its findings of noncompliance identified in FFY 2006 related to this indicator were corrected in a timely manner.</p> <p>OSEP's June 6, 2008 FFY 2006 SPP/APR response table required the State, in the FFY 2007 APR, due February 2, 2009, to report on the remaining noncompliance identified in FFY 2004 and FFY 2005 related to the timely service provision requirements in 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1).</p> <p>The State reported that four of 16 findings of noncompliance identified in FFY 2004 were corrected in a timely manner and that the 12 remaining findings subsequently were corrected. The State further reported that eight of 14 findings of noncompliance identified in FFY 2005 were corrected in a timely manner and that the six remaining subsequently were corrected.</p> <p>The State was identified as being in need of assistance for two consecutive years based on the State's FFYs 2005 and 2006 APRs, was advised of available technical assistance, and was required to report, with the FFY 2007 APR, on: (1) the technical assistance sources from which the State received assistance; and (2) the actions the State took as a result of that technical assistance. The State reported on the technical assistance sources from which the State received assistance for this indicator and reported on the actions the State took as a result of that technical assistance.</p>	<p>The State reported that noncompliance identified in FFY 2006 with the timely service provision requirements in 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1) was corrected in a timely manner. The State also reported that noncompliance identified in FFY 2004 and FFY 2005 with the timely service provision requirements was corrected.</p> <p>The State must demonstrate, in the FFY 2008 APR due February 1, 2010, that the State is in compliance with the requirements in 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1), including correction of the noncompliance the State reported under this indicator in the FFY 2007 APR.</p> <p>The State must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each EIS program with noncompliance reported by the State under this indicator in the FFY 2007 APR: (1) is correctly implementing the specific regulatory requirements; and (2) has initiated services for each child, although late, unless the child is no longer within the jurisdiction of the EIS program, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02).</p> <p>If the State is unable to demonstrate compliance in the FFY 2008 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</p>

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2. Percent of infants and toddlers with IFSPs who primarily receive early intervention services in the home or programs for typically developing children. [Results Indicator]	The State’s FFY 2007 reported data for this indicator are 98.9%. The State’s data reflect a high level of performance for this indicator. The State met its FFY 2007 target of 96.5%.	The State’s actual target data for provision of services to infants and toddlers in natural environments are at or greater than 95%. There is no expectation that an increase in that percentage is necessary. OSEP appreciates the State’s efforts to improve performance and expects that the State is monitoring to ensure that IFSP teams are making service setting decisions on an individualized basis and in compliance with 34 CFR §§303.12, 303.18, and 303.344(d)(1)(ii).																
3. Percent of infants and toddlers with IFSPs who demonstrate improved: A. Positive social-emotional skills (including social relationships); B. Acquisition and use of knowledge and skills (including early language/ communication); and C. Use of appropriate behaviors to meet their needs. [Results Indicator]	<div>The State revised the timelines for its improvement activities for this indicator and OSEP accepts those revisions. The State’s FFY 2007 reported progress data for this indicator are:</div> <table><tr><th>07-08 Infant and Toddler Outcome Progress Data</th><th>Social Emotional</th><th>Knowledge & Skills</th><th>Appropriate Behavior</th></tr><tr><td>a. % of infants & toddlers who did not improve functioning.</td><td>1</td><td>1</td><td>1</td></tr><tr><td>b. % of infants & toddlers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.</td><td>22</td><td>23</td><td>22</td></tr><tr><td>c. % of infants & toddlers who improved to a level nearer to same-aged peers but did not reach it.</td><td>20</td><td>28</td><td>23</td></tr></table>	07-08 Infant and Toddler Outcome Progress Data	Social Emotional	Knowledge & Skills	Appropriate Behavior	a. % of infants & toddlers who did not improve functioning.	1	1	1	b. % of infants & toddlers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.	22	23	22	c. % of infants & toddlers who improved to a level nearer to same-aged peers but did not reach it.	20	28	23	The State reported the required progress data and improvement activities. The State must provide baseline data, targets and improvement activities with the FFY 2008 APR, due February 1, 2010.
07-08 Infant and Toddler Outcome Progress Data	Social Emotional	Knowledge & Skills	Appropriate Behavior															
a. % of infants & toddlers who did not improve functioning.	1	1	1															
b. % of infants & toddlers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.	22	23	22															
c. % of infants & toddlers who improved to a level nearer to same-aged peers but did not reach it.	20	28	23															

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	e. % of infants & toddlers who maintained functioning at a level comparable to same-aged peers.	28	11	15																					
	Total (approx. 100%)	100.0%	100.0%	100.00 %																					
	Although the State’s eligibility criteria include eligible infants and toddlers who are at risk of having substantial developmental delays, the State excluded data on these infants and toddlers because the number was low (ten) and had the potential to be personally identifiable. The State explained, “During FY 2007-2008, an additional ten (10) children exited whose eligibility was determined to be in the At-Risk category. As this number is so small, detailed data is suppressed, as it may identify individual children. North Carolina’s eligibility criteria changed on July 1, 2006 to no longer include at risk children.”																								
4. Percent of families participating in Part C who report that early intervention services have helped the family: A. Know their rights; B. Effectively communicate their children's needs; and C. Help their children develop and learn. [Results Indicator]	The State revised the improvement activities for this indicator and OSEP accepts those revisions. The State’s reported data for this indicator are: <table><tr><td></td><td>FFY 2006 Data</td><td>FFY 2007 Data</td><td>FFY 2007 Target</td><td>Progress</td></tr><tr><td>A. Know their rights. (%)</td><td>70</td><td>69</td><td>90</td><td>-1.00%</td></tr><tr><td>B. Effectively communicate their children’s needs. (%)</td><td>69</td><td>67</td><td>84</td><td>-2.00%</td></tr><tr><td>C. Help their children develop and learn. (%)</td><td>80</td><td>78</td><td>90</td><td>-2.00%</td></tr></table> These data represent slippage for 4A, 4B and 4C from the FFY 2006 data. The State did not meet its FFY 2007 targets.					FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	Progress	A. Know their rights. (%)	70	69	90	-1.00%	B. Effectively communicate their children’s needs. (%)	69	67	84	-2.00%	C. Help their children develop and learn. (%)	80	78	90	-2.00%	OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.
	FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	Progress																					
A. Know their rights. (%)	70	69	90	-1.00%																					
B. Effectively communicate their children’s needs. (%)	69	67	84	-2.00%																					
C. Help their children develop and learn. (%)	80	78	90	-2.00%																					

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<p>5. Percent of infants and toddlers birth to 1 with IFSPs compared to:</p> <p>A. Other States with similar eligibility definitions; and</p> <p>B. National data.</p> <p>[Results Indicator]</p>	<p>The State revised the improvement activities and FFY 2008-2010 targets for this indicator and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the revised targets. The revised targets are less rigorous than the previously-established targets.</p> <p>The State's FFY 2007 reported data for this indicator are .89%. These data represent progress from the FFY 2006 data of .84%.</p> <p>The State did not meet its FFY 2007 target of 1.10%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</p>
<p>6. Percent of infants and toddlers birth to 3 with IFSPs compared to:</p> <p>A. Other States with similar eligibility definitions; and</p> <p>B. National data.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 2.12%. These data represent progress from the FFY 2006 data of 2.03%.</p> <p>The State met its FFY 2007 target of 1.95%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>
<p>7. Percent of eligible infants and toddlers with IFSPs for whom an evaluation and assessment and an initial IFSP meeting were conducted within Part C's 45-day timeline.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 96%. These data represent slippage from the FFY 2006 data of 98.9%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>Although the State reported less than 100% compliance for this indicator for FFY 2006, the State reported that it did not make any FFY 2006 findings of noncompliance. The State explained that it did not make findings because there was only one instance of noncompliance in each of three CDSAs. The State reported that all three of the instances of noncompliance from FFY 2006 were corrected in a timely manner.</p>	<p>The State reported that noncompliance identified in FFY 2006 with the 45-day timeline requirements in 34 CFR §§303.321(e)(2), 303.322(e)(1) and 303.342(a) was corrected in a timely manner.</p> <p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2008 APR, due February 1, 2010, the State's data demonstrating that it is in compliance with the requirements in 34 CFR §§303.321(e)(2), 303.322(e)(1), and 303.342(a), including correction of the noncompliance the State reported under this indicator in the FFY 2007 APR.</p> <p>The State must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each EIS program with noncompliance reported by the State under</p>

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		<p>this indicator in the FFY 2007 APR: (1) is correctly implementing the specific regulatory requirements; and (2) has conducted the initial evaluation, assessment and IFSP meeting, although late, unless the child is no longer within the jurisdiction of the EIS program, consistent with OSEP Memo 09-02.</p> <p>If the State is unable to demonstrate compliance in the FFY 2008 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</p>
<p>8. Percent of all children exiting Part C who received timely transition planning to support the child's transition to preschool and other appropriate community services by their third birthday including:</p> <p>A. IFSPs with transition steps and services;</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 96%. These data represent slippage from the FFY 2006 data of 99%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>Although the State reported less than 100% compliance for this indicator for FFY 2006, the State reported that it did not make any FFY 2006 findings of noncompliance. The State explained that it did not make findings because there were only two instances of noncompliance in FFY 2006, and they were corrected in a timely manner.</p>	<p>The State reported that noncompliance identified in FFY 2006 with the IFSP transition content requirements in 34 CFR §§303.148(b)(4) and 303.344(h) was corrected in a timely manner.</p> <p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2008 APR, due February 1, 2010, the State's data demonstrating that it is in compliance with the requirements in 34 CFR §§303.148(b)(4) and 303.344(h), including correction of the noncompliance the State reported under this indicator in the FFY 2007 APR.</p> <p>The State must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each EIS program with noncompliance reported by the State under this indicator in the FFY 2007 APR: (1) is correctly implementing the specific regulatory requirements; and (2) has developed an IFSP with transition steps and services, unless the child is no longer</p>

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		<p>within the jurisdiction of the EIS program, consistent with OSEP Memo 09-02.</p> <p>If the State is unable to demonstrate compliance in the FFY 2008 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</p>
<p>8. Percent of all children exiting Part C who received timely transition planning to support the child's transition to preschool and other appropriate community services by their third birthday including:</p> <p>B. Notification to LEA, if child potentially eligible for Part B; and</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 98%. These data represent progress from the FFY 2006 data of 96%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>Although the State reported less than 100% compliance for this indicator for FFY 2006, the State reported that it did not make any FFY 2006 findings of noncompliance. The State explained that there were only unique isolated instances of noncompliance in FFY 2006, and they were corrected in a timely manner.</p>	<p>The State reported that noncompliance identified in FFY 2006 with the LEA notification requirements in 34 CFR §303.148(b)(1) was corrected in a timely manner.</p> <p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2008 APR, due February 1, 2010, the State's data demonstrating that it is in compliance with the requirements in 34 CFR §303.148(b)(1), including correction of the noncompliance the State reported under this indicator in the FFY 2007 APR.</p> <p>The State must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each EIS program with noncompliance reported by the State under this indicator in the FFY 2007 APR: (1) is correctly implementing the specific regulatory requirements; and (2) has provided notification to the LEA, unless the child is no longer within the jurisdiction of the EIS program, consistent with OSEP Memo 09-02.</p> <p>If the State is unable to demonstrate compliance in the FFY 2008 APR, the State must review its improvement activities and revise them, if necessary to</p>

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<p>8. Percent of all children exiting Part C who received timely transition planning to support the child's transition to preschool and other appropriate community services by their third birthday including:</p> <p>C. Transition conference, if child potentially eligible for Part B.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 96%. These data represent slippage from the FFY 2006 data of 99.2%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>Although the State reported less than 100% compliance for this indicator for FFY 2006, the State reported that it did not make any FFY 2006 findings of noncompliance. The State explained that it did not make findings because there were only two instances of noncompliance in FFY 2006, and they were corrected in a timely manner.</p>	<p>ensure compliance.</p> <p>The State reported that noncompliance identified in FFY 2006 with the timely transition requirements in 34 CFR §303.148(b)(2)(i) (as modified by IDEA section 637(a)(9)(A)(ii)(II)) was corrected in a timely manner.</p> <p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2008 APR, due February 1, 2010, the State's data demonstrating that it is in compliance with the requirements in 34 CFR §303.148(b)(2)(i) (as modified by IDEA section 637(a)(9)(A)(ii)(II)), including correction of the noncompliance the State reported under this indicator in the FFY 2007 APR.</p> <p>The State must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each EIS program with noncompliance reported by the State under this indicator in the FFY 2007 APR: (1) is correctly implementing the specific regulatory requirements; and (2) has conducted a transition conference for each child potentially eligible for Part B, although late, unless the child is no longer within the jurisdiction of the EIS program, consistent with OSEP Memo 09-02.</p> <p>If the State is unable to demonstrate compliance in the FFY 2008 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</p>
9. General supervision system	The State's FFY 2007 reported data for this indicator are 100%. These data	OSEP appreciates the State's efforts in

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<p>(including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.</p> <p>[Compliance Indicator]</p>	<p>represent progress from the FFY 2006 data of 90%.</p> <p>The State met its FFY 2007 target of 100%.</p> <p>The State reported that all six of its findings of noncompliance identified in FFY 2006 were corrected in a timely manner.</p> <p>OSEP's June 6, 2008 FFY 2006 SPP/APR response table required the State to demonstrate, in the FFY 2007 APR, due February 2, 2009, that the State corrected the remaining noncompliance identified in FFY 2004 and FFY 2005. The State reported that: (1) four of 16 findings of noncompliance identified in FFY 2004 for Indicator 1 were corrected in a timely manner and that the other 12 findings subsequently were corrected; and (2) eight of 14 findings of noncompliance identified in FFY 2005 for Indicator 1 were corrected in a timely manner and that the remaining six findings subsequently were corrected.</p> <p>The State was identified as being in need of assistance for two consecutive years based on the State's FFYs 2005 and 2006 APRs, was advised of available technical assistance, and was required to report, with the FFY 2007 APR, on: (1) the technical assistance sources from which the State received assistance; and (2) the actions the State took as a result of that technical assistance. The State reported on the technical assistance sources from which the State received assistance for this indicator and reported on the actions the State took as a result of that technical assistance.</p>	<p>timely correcting noncompliance reported by the State under this indicator in the FFY 2007 APR in accordance with IDEA section 635(a)(10)(A) and 34 CFR §303.501.</p> <p>In reporting on correction of noncompliance, the State must report that it has: (1) corrected all instances of noncompliance (including noncompliance identified through the State's monitoring system, through the State's data system and by the Department); and (2) verified that each EIS program with identified noncompliance is correctly implementing the specific regulatory requirements, consistent with OSEP Memo 09-02.</p> <p>In addition, in responding to Indicators 1, 7, 8A, 8B, and 8C in the FFY 2008 APR due February 1, 2010, the State must report on correction of the noncompliance described in this table under those indicators.</p> <p>In reporting on Indicator 9 in the FFY 2008 APR, the State must use the Indicator 9 Worksheet.</p>
<p>10. Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.</p> <p>[Compliance Indicator]</p>	<p>The State reported that it received two signed written complaints during the reporting period and both were withdrawn.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2008 APR, due February 1, 2010.</p>
<p>11. Percent of fully adjudicated due process hearing requests that were</p>	<p>The State reported that it did not receive any due process hearing requests during the FFY 2007 reporting period.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2008 APR, due</p>

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fully adjudicated within the applicable timeline. [Compliance Indicator]		February 1, 2010.
12. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements (applicable if Part B due process procedures are adopted). [Results Indicator]	Not applicable.	This indicator does not apply to the State because the State has not adopted the Part B due process procedures to resolve Part C due process hearing requests.
13. Percent of mediations held that resulted in mediation agreements. [Results Indicator]	The State's FFY 2007 reported data for this indicator are 100%. The State reported that the one mediation resulted in a mediation agreement. The State reported fewer than ten mediations held in FFY 2007. The State is not required to provide targets or improvement activities until any FFY in which ten or more mediations were held.	OSEP looks forward to reviewing the State's data in the FFY 2008 APR, due February 1, 2010.
14. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	The State's FFY 2007 reported data for this indicator are 100%. These data remain unchanged from the FFY 2006 data of 100%. The State met its FFY 2007 target of 100%.	OSEP appreciates the State's efforts in achieving compliance with the data reporting requirements in IDEA sections 616, 618, and 642 and 34 CFR §§76.720 and 303.540. In reporting on Indicator 14 in the FFY 2008 APR, the State must use the Indicator 14 Data Rubric.